


SO ORDERED.

SIGNED this 19 day of June, 2019.




Joseph N. Callaway
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION

IN RE:

CAH ACQUISITION COMPANY 6, LLC,
d/b/a I-70 COMMUNITY HOSPITAL,

Debtor.

Case No. 19-01300-5-JNC

Chapter 11

CONSENT ORDER ALLOWING MOTION TO EMPLOY
ARNETT CARBIS TOOTHMAN LLP
AS CERTIFIED PUBLIC ACCOUNTANT FOR THE TRUSTEE

THIS MATTER came before the above-signed United States Bankruptcy Court for the Eastern District of North Carolina, upon the *Motion to Employ Arnett Carbis Toothman LLP as Certified Public Accountant for the Trustee* (the "Motion") filed on June 10, 2019 by Thomas W. Waldrep, Jr., the Trustee in this matter (the "Trustee"). This Court, with the consent of the Bankruptcy Administrator for the Eastern District of North Carolina (the "BA") and the Trustee, hereby makes the following Findings of Fact and Conclusions of Law:

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and 11 U.S.C. § 327(a). This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. On June 10, 2019, the Trustee filed the Motion, seeking court authorization to employ Arnell Carbis Toothman LLP (“ACT”) as certified public accountant for the Trustee in the instant case pursuant to the terms and conditions of an engagement letter signed by the Trustee and ACT and dated April 15, 2019.

3. On June 11, 2019, the BA filed a *Limited Objection to Motion to Employ Arnett Carbis Toothman LLP as Certified Public Accountant for the Trustee* (the “Objection”). The BA’s sole objection was to ACT’s stipulation that it be paid a six percent administrative overhead charge to all expenses in addition to the proposed hourly rate for its services (the “Overhead Charge”).

4. In response to the Objection, ACT agreed to eliminate the Overhead Charge from the terms of its engagements with the Trustee

Based upon the foregoing findings of fact and conclusions of law, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Motion is allowed, except as to the Overhead Charge;
2. The Trustee is authorized to employ Arnett Carbis Toothman LLP as certified public accountant pursuant to Section 327(a) of the Bankruptcy Code, *nunc pro tunc* to May 6, 2019; and
3. The hourly rates requested and exact compensation allowed shall be subject to the review and approval of the Court in its consideration of future fee applications.

AGREED TO BY:

WALDREP LLP

/s/ Jennifer B. Lyday
Thomas W. Waldrep, Jr. (NC State Bar No. 11135)
Jennifer B. Lyday (NC State Bar No. 39871)
Francisco T. Morales (NC State Bar No. 43079)
101 S. Stratford Road, Suite 210

Winston-Salem, NC 27104
Telephone: 336-717-1440
Telefax: 336-717-1340
Email: notice@waldrepllp.com

**BANKRUPTCY ADMINISTRATOR
FOR THE EASTERN DISTRICT OF
NORTH CAROLINA**

/s/ Marjorie K. Lynch
Marjorie K. Lynch (NC State Bar No. 13594)
Bankruptcy Administrator
434 Fayetteville Street, Suite 640
Raleigh, North Carolina 27601
Telephone: (919) 334-3885
Email: Marjorie_lynch@nceba.uscourts.gov

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